

BPS-378

September 22, 2005

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **05-3193**

UNITED STATES OF AMERICA

VS.

JEFFREY HOLLAND

(M.D. PA. CRIM. NO. 01-CR-00195)
CRIMINAL TREATED AS CIVIL

Present: RENDELL, FISHER and VAN ANTWERPEN, CIRCUIT JUDGES

Submitted are:

- (1) Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1);
- (2) Appellant's motion for appointment of counsel; in the above-captioned case.

Respectfully,

Clerk

MMW/PML/zm/lml

O R D E R

The foregoing request for a certificate of appealability is denied, as jurists of reason could not debate that Appellant's claims lack merit for essentially the reasons stated in the District Court's May 24, 2005, Memorandum. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000). The motion for appointment of counsel is denied.



Marcia M. Waldron
Marcia M. Waldron, Clerk

By the Court,

/s/ Franklin S. Van Antwerpen
Circuit Judge

Dated: October 6, 2005
LML/cc: JH, WAB